IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICTOF OF ALABAMA

ELLEN T. FLOWERS,)
DI - ' 4166)
Plaintiff)
v.) CASE NO.: <u>3:06-CV-00552-SRW</u>
ALLSTATE INDEMNITY COMPANY)
Defendant.)

RESPONSE TO DEFENDANT'S REQUEST FOR RELIEF FROM RULE 16(B) SCHEDULING ORDER

COMES NOW, the Plaintiff, by and through her attorney of record, and herby states that she has no objection to the Defendant being granted relief from the Scheduling order entered in this matter. However, the Court should note that the referenced interrogatories of which the Defendant mentions the lack of response are deemed served as of the 13th day of February, 2007, at the request of the Defendant.

> /S/ Michael F. Braun Michael F. Braun (BRA 090) Attorney for Ellen T. Flowers P. O. Box 70527 Montgomery, AL 36107 334/260-0529 Fax: 334/260-9224

CERTIFICATE OF SERVICE

I hereby certify that I have served those listed below by electronic submission or United States Mail this 27th day of February, 2007.

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> /S/ Michael F. Braun Of Counsel